



REMARKS

Responsive to the Restriction Requirement mailed December 16, 2004, a response was filed on February 16, 2005. In the response, claims 11 and 43 were amended to correct typographical errors.

In the Communication dated May 17, 2005, it is indicated that, in the response filed February 16, 2005, claim 17, which was marked as "original," does not match the text of the claim as originally filed and should therefore be marked and labeled "currently amended." In reviewing the previous response, it is noted that claim 17 had an inadvertent typographical error and was not intended as a claim amendment. Applicant apologizes for this oversight.

To clarify the record, submitted herewith is a new listing of the claims to replace the listing of claims in the response to the Restriction Requirement filed on February 16, 2005. The new listing of the claims includes the marked amendment of claims 11 and 43 and claim 17 as originally filed and marked "original."

The Examiner is invited to call the undersigned agent if there are any questions.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

A handwritten signature in cursive script, appearing to read "Deborah L. Cadena".

Deborah L. Cadena

Registration No. 44,048

4370 La Jolla Village Drive, Suite 700
San Diego, CA 92122
Phone: 858.535.9001 DLC:llf
Facsimile: 858.597.1585
Date: June 9, 2005

**Please recognize our Customer No. 41552
as our correspondence address.**